

PROB 12C
Rev 2/03
RE: RANSON, Shawn
1:01CR00032

PDB

**United States District Court
for
Southern District of Ohio**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: **Shawn Ranson**

Case Number: **1:01CR00032-03**

Name of Sentencing Judicial Officer: **The Honorable Herman J. Weber
United States Senior District Judge**

Date of Original Sentence: **April 12, 2002**

Original Offense: **Conspiracy to Distribute and Possess with Intent to Distribute
Cocaine and Cocaine Base, a Class C felony, in violation of 21
U.S.C. § 846.**

Original Sentence: **57 months prison, 36 months supervised release**

Type of Supervision: **Term Of Supervised Release** Date Supervision Commenced: **April 22, 2005**

Assistant U.S. Attorney: **Kenneth L. Parker, Esq.**

Defense Attorney: **C. Ransom Hudson, Esq.**

PETITIONING THE COURT

- To issue a warrant
- To issue an Order to Appear and Show Cause and Toll the Supervision Time.
- To grant an exception to revocation without a hearing.

Violation Number Nature of Noncompliance

#1 **"The defendant shall not commit another federal, state, or local crime."**

It is alleged that Ranson possessed less than 200 grams of marijuana in Hamilton County, Ohio on December 27, 2007. He was charged with Possession of Marijuana on that date in Hamilton County, Ohio Municipal Court case number 07/CRB/48257. Ranson plead guilty to this offense on December 28, 2007. He was sentenced to a suspended 30 day jail term and fined \$200.

This officer is writing to advise the Court that Ranson was charged with Possession of Marijuana on December 27, 2007 in Hamilton County, Ohio. He plead guilty to this offense on December 28, 2007. It is noted that Ranson told this officer that he had been stoped for a traffic infraction by the Cincinnati, Ohio Police Department. Ranson further stated that he voluntarily allowed officers to search his vehicle and a small amount of marijuana was found in the pocket of a coat in the vehicle's trunk. Ranson stated he admitted the marijuana belonged to him, but he had put it in the coat a year ago and forgot it was there.

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This officer interviewed the arresting Cincinnati Police Officer. According to the officer, he initiated a vehicle stop because Ranson was driving in an erratic manner. Upon making contact with Ranson, officers detected a strong odor of marijuana coming from his vehicle. Based upon the presence of the marijuana odor, officers searched Ranson and the vehicle. They located a baggie containing a small amount of marijuana in the pocket of the coat Ranson was wearing.

It should be noted 18 U.S.C. § 3583(g)(1) requires revocation for illegal possession of a controlled substance.

- #2 **"The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician."**

Ranson submitted urine samples to his US Probation Officer which tested positive for the presence of marijuana on 12/6/05, 2/10/06, 11/20/07, 12/4/07, 12/12/07, 12/14/07, 12/17/07, 12/21/07, 12/27/07, 1/3/08, 1/10/08, and 1/15/08. Ranson submitted urine samples on 12/5/07 and 12/6/07 which tested positive for marijuana and cocaine.

This officer submitted a Probation Form 12C, Petition for Warrant or Summons, to the Court on December 26, 2007. At that time, this officer notified the Court that Ranson had tested positive for illicit drug use on more than three occasions over a one year period. This officer asked the Court to grant an exception to mandatory revocation pursuant to 18 U.S.C. § 3583(d) and to modify Ranson's conditions of supervision to include a 60 stay at a Residential Re-entry Center. On December 27, 2007, the Court concurred with this officers recommendation, continued Ranson on supervision, and imposed the requested modification.

It should be noted 18 U.S.C. § 3583(g)(4) requires revocation for testing positive for drug usage more than three times in one year.

U.S. Probation Officer Recommendation:

Based upon Ranson's new criminal conviction and continued drug use, this officer respectfully recommends the Court issue a summons to bring the offender before the Court to answer why his supervision should not be revoked. In addition, based upon the foregoing, this officer has not referred Ranson to a Residential Re-entry Center. Revocation of Ranson's supervision is being recommended by this officer. Based upon the fact the offender's supervision is scheduled to expire on April 21, 2008, this officer also is requesting that the Court toll the offender's supervised release to allow time for adjudication of this matter.

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The term of supervision should be

- Revoked.
- Extended for years, for a total term of years.
- Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
- The conditions of supervision should be modified as follows:

I declare under penalty of perjury that
the foregoing is true and correct.

Executed on January 25, 2008

Approved,

by

Thomas Barbeau

U.S. Probation Officer

Date: January 25, 2008

Robert C. Frommeyer Jr.

Supervising U.S. Probation Officer

Date: 1/25/08

THE COURT ORDERS:

- No Action
- The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the issuance of a Warrant for his/her arrest.
- The issuance of an Order to Appear and Show Cause and the Supervised Release time shall be Tolled.
- The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- Other

Signature of Judicial Officer

1/29/08

Date